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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,014	07/27/1999	WILLIAM SCOTT MEEKS	99-820	6303
32127	7590	05/28/2004	EXAMINER	
VERIZON CORPORATE SERVICES GROUP INC.			BAYERL, RAYMOND J	
C/O CHRISTIAN R. ANDERSEN			ART UNIT	
600 HIDDEN RIDGE DRIVE			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

4

Office Action Summary

Application No.

09/362,014

Applicant(s)

MEEKS ET AL.

Examiner

Raymond J. Bayerl

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18 - 25, 35 is/are allowed.
- 6) ☒ Claim(s) 1 - 17, 26, 28, 30, 36 - 43 is/are rejected.
- 7) ☒ Claim(s) 27, 29, 31 - 34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claims 1 – 8, 10, 12 – 17, 42, 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Boss et al. ("Boss"; US #5,758,110).

As per independent claim 14, which is directed to "providing a window list", please note that Katsurabayashi's COOPERATIVE WORK SUPPORT SYSTEM FOR MANAGING A WINDOW DISPLAY, in using an application sharing system, allows a computer system to select windows to be displayed and windows to be hidden for each user (Abstract). This anticipates "locating a window" and "obtaining information associated with" it. Katsurabayashi, as shown in fig 3, works with a management table in which information on whether to display or hide each window is set (col 8, lines 24 – 35). Katsurabayashi therefore identically discloses "using at least one heuristic...to determine if the window should be added to the window list", when "heuristic" is reasonably interpreted to include a decision process via the adjustment of the management table.

Katsurabayashi does not **explicitly** disclose that the contents of the management table are presented as a "window list in a user interface", as in the amended claims.

However, Boss's APPLICATION SHARING IN A GRAPHIC USER INTERFACE is achieved when a host user designates an application to be shared (Abstract). Thus, it was known in the art at the time of applicant's invention to provide "user interface" access to APPLICATION SHARING information regarding windows.

It would therefore have been obvious to a person having ordinary skill in the art at the time of applicant's invention to allow user access to the Katsurabayashi management table data via Boss's user designation, because this provides a more precise level of control over the exact sharing that takes place.

As in claim 15's "adding the window to the window list", please note Katsurabayashi's ability to select windows to be displayed, these windows containing information items extending onto a plurality of application windows (col 3, lines 25 – 30)—in such a process, a sequence of windows is likewise added to the table.

Independent claim 17 is similar to claim 14 in "providing a window list", with the additional limitation of "determining if the window should be added to the window list", and if so, "determining how at least a portion of the information should appear on the window list". However, this is also anticipated by the control of Katsurabayashi when modified by Boss, where a user may select windows to be displayed.

Independent claim 1's "application sharing between a host user and at least one audience member" follows in the teaching of Katsurabayashi, in that "selecting the at least one audience member" reads upon selecting a window's display status for individual users at the controlling computer site.

Katsurabayashi does not **explicitly** enter into the claimed details of "automatically establishing a substantially real-timed shared viewing of the at least one document". However, as noted previously, Boss's APPLICATION SHARING IN A GRAPHIC USER INTERFACE is accomplished when a host user designates an application to be shared, thereby enabling a rectangular area on the display screen

within which all shared applications are displayed (Abstract). In Boss, [a]nother user at a remote location, referred to as the client user, shares control of the shared application (col 2, lines 32 – 38).

It would therefore have been obvious to a person having ordinary skill in the art at the time of applicant's invention to share an "application" opened upon a "document", as appears in Boss, in the user-designation environment of Katsurabayashi, this being motivated by Katsurabayashi's joint presentation of client regions among multiple systems, in which "real-timed shared viewing" would enable further productivity among group members.

Independent claim 2, which will "share the documents" with "audience members" in the plural, reads upon the Boss sharing among plural Katsurabayashi users.

When Boss designates an application to be shared, claim 3's "selecting a first single object" is suggested (see also claim 6). When enhanced as per Katsurabayashi, "audience members are selected" via the Boss GUI, as "a second single object" (claims 4, 5).

Independent claim 7 (see also independent claims 42, 43), which places the "real-time shared viewing" of claim 1 into the context of "a first" and "second computer system", also reads upon the Katsurabayashi/Boss combination, in which similar devices are employed. A "conferencing program" is specifically taught by the function of Boss's conferencing communication system (reference numerals 108, 201, fig 3).

The establishment of Boss's conferencing communication using the Katsurabayashi management table further reads upon independent claim 8's

"application sharing" via an "interface program". Katsurabayashi maintains "an application list", the control of which gives a Boss user "a share view menu" for the purpose of selecting whether to show or hide the window in which Boss presents views of "a file associated with the application program". By sharing a window in a collaborative session, given document files are thus opened in common.

The "participant list" of claim 10, as noted above, is characteristic of Katsurabayashi's management table contents. Via Window ID (fig 3), "window titles" (claim 12) and "document titles" (claim 13) may be provided, as they appear in the shared display of Katsurabayashi's fig 10.

Claim 16, in querying for "whether the window is already on the window list", is an extension to the "window list" management suggested by Katsurabayashi as noted above with respect to claim 14, and not **explicitly** shown in that reference.

However, in coordinating the application to be shared, Boss suggests that a call to an already-open window on the client device will result in that window accepting an "update". It would also have been obvious to the person having ordinary skill to use the concurrency provisions of Boss to modify the management table arrangement of Katsurabayashi windows, for this will ensure that the conferenced application is up to date and usable.

3. Claims 26, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Larson et al. ("Larson"; US #5,907,324).

Independent claim 26 (see also independent claim 28), in coordinating a "meeting configuration", reads generally upon Katsurabayashi, whose configuration

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similarly defines a shared workspace. Not **explicitly** shown in Katsurabayashi is the claimed ability for "selecting a name to save state of the application-sharing meeting configuration", whereby "an address for each participant" and "descriptors for each shared application" are added.

However, this is just what is done in Larson's SAVING AND ACCESSING DESKTOP CONFERENCE CHARACTERISTICS WITH A PERSISTENT CONFERENCE OBJECT. Larson's object is one by which conference parameters are monitored, updated and saved. These include details as to Participant, Document and Application (fig 4).

Thus, it would also have been obvious to the person having ordinary skill to use a coordinated saved representation of a "meeting" with the conference object of Larson, in conjunction with the management table of Katsurabayashi, reading upon the claim 26 invention, because this better preserves the structure of a collaborative work established by Katsurabayashi for later use.

4. Claims 30, 36 – 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Anderson et al. ("Anderson"; US #5,790,127).

Independent claim 30 reads upon Katsurabayashi, in that "a participant list" is adjusted, according to a maintained collection of items (e.g., the management table). Katsurabayashi does not **explicitly** enter into details of querying an "item" as to whether it is "currently in use", and "enabling use of the use item" if it is not.

However, Anderson, in SUPERVISING ACTIVATIONS STATES IN APPLICATION SHARING, specifically addresses the problem of activation of a shared

application (Abstract). This activation is conducted by host 20 and guest 30 to share application 21, for example over network coupling 99 (fig 2; col 3, lines 3 – 22).

Thus, it would have been further obvious to the person having ordinary skill in the art at the time of applicant's invention to manage activation over a network as per Anderson, thus necessarily involving the protocol for remote "item" access as claimed, in the Katsurabayashi "participant list" setting, because this would readily enable the proper connection of the respective computing devices that need to share a window.

In achieving activation, the Anderson disclosure suggests "a call manager" as in independent claim 36. Anderson specifically refers, moreover, to a display of "status information regarding the connectivity": [a]pplication 21 having GUI 43 and caption 42 is running and is active. Caption 42 is painted the active color (fig 3A; col 3, lines 22 – 49).

The "real-time shared viewing of at least one document", as appears in claim 37, is suggested by Anderson's APPLICATION SHARING, as augmented by the "audience member" selection of Katsurabayashi, who must also manage "a name for each active participant" (claim 38). Claims 39 – 41 are rejected for reasons similar to the respective rejections of claims 36 – 38.

5. Claims 9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsurabayashi and Boss and Anderson.

The recitation of "updating the status indicator responsive to connection status" in claim 9 (see also claim 11), in the "application sharing" of claim 8 that reads upon

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Katsurabayashi and Boss as outlined above, is suggested in the combination of the highly-analogous active window indication of Anderson.

It would finally have been obvious to incorporate the call management and connection state representation taught by Anderson in the Katsurabayashi/Boss "share view" setting, for this would assist the users involved in assessing the patency of the connections among the networked devices found in each disclosure.

6. Claims 18 – 25, 35 are allowed over the prior art now made of record.

7. Claims 27, 29, 31 – 34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The reasons for the Examiner's indication of allowable subject matter can be found as paragraphs 10, 11 of the office action mailed 30 January 2004.

RB • Applicant's arguments filed 30 April 2004 have been fully considered but they are not persuasive.

Regarding applicant's argument at page 15 that "Katsurabayashi offers ^{no} ~~on~~ RB teaching or suggestion that users can select the display of windows in an application sharing program, or that the list of windows available for display is presented to the user", please note the new ground of rejection necessitated by amendment, in which Boss is relied upon to show such a feature, in host user designation.

At page 16, applicant then argues, concerning the claimed features of "selecting a document" or "file", that "The Office Action does not address the claim limitations". The intent of relying upon Katsurabayashi, however, was to enable shared access to a

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single window session on multiple workstations. When this connection is made, then a single instance, opened on a single file or document, will then be created.

At page 17, applicant goes on to argue that "Even if Katsurabayashi did teach sharing selected documents and files, it is clear that any such selection would occur *after* a connection between the host and a client or clients had been established."

However, all that appears in the actual claim 1 on this point is "automatically establishing a substantially real-time shared viewing", with no mention of the particular connection sequence in which the software interacts with the actual network in making the call.

Concerning claim 10, applicant argues at page 17 that "neither Katsurabayashi nor Boss teaches anything resembling the recited share view menu" with which a "participant" is associated. However, in the Katsurabayashi table, sharing participants are indeed associated with a "menu" that indicates their ability to "view", when taken in view of Boss's host user selection interface.

Regarding Larson, applicant argues at page 18 that "The Office Action does not appear to suggest that motivation to combine Katsurabayashi and Larson is found in the prior art of record", since "Katsurabayashi teaches a system for sharing a computer application" and "Larson teaches a system for storing parameters relating to a video conference". However, each reference is sufficiently related to digitally-mediated collaborative work for the motivation to be present.

At page 19, applicant argues that "Anderson clearly fails to teach the recited menu item [of claim 30], much less setting a use item equal to a menu item". However,

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as noted above, the Anderson interface provides direct user access to a collection of display objects indicating connectivity status. One that is indeed connected corresponds to a "use" at that "menu item".


Further concerning the Anderson application sharing status interface, applicant argues at page 20 that "Anderson does not teach 'the status information including the current number of participants' as recited in claims 36 and 39.'" However, in conjunction with the management table of Katsurabayashi, in which participants are coordinated with a window, Anderson indeed contains the needed suggestion of showing connection status in a graphical display, even if the **explicitly** shown embodiment is in "sharing applications", and not "conferencing participants".

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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- RB*
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (703) 305-9789. The examiner can normally be reached on M - F from 10:00 AM to 5:00 PM.
10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.
11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

27 May 2004